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27 UNITED STATES DISTRICT COURT

28 DISTRICT OF NEVADA

29 SATHIRAWAT SAUBHAYANA,

30 Plaintiff,

31 v.

32 MERRICK B. GARLAND, U.S. Attorney  
33 General, et al.,

34 Defendants.

35 Case No. 2:17-cv-2655-JAD-EJY

36 **ORDER GRANTING**

37 **JOINT MOTION TO STAY CASE UNTIL**  
38 **DECEMBER 21, 2021**

39 ECF No. 57

1 Plaintiff Sathirawat Saubhayana and Defendants (collectively, the “Parties”) jointly  
 2 request that the Court stay this case, until December 21, 2021, while U.S. Citizenship and  
 3 Immigration Services (“USCIS”) reopens Plaintiff’s Form, N-400, Application for  
 4 Naturalization, and considers new evidence. *See* 8 C.F.R. § 103.5(a)(5) (allowing USCIS to  
 5 reopen a naturalization application).

6 On August 20, 2021, government counsel finally received the sealed documents from the  
 7 Las Vegas Police Department (“LVPD”). *See* ECF No. 55. Based on its review of these  
 8 documents, USCIS has agreed to sua sponte re-open Plaintiff’s naturalization application in  
 9 order to consider these documents along with other evidence that Plaintiff may submit in support  
 10 of his application. The Parties, therefore, request that this Court stay this case, until December  
 11 21, 2021, to allow USCIS to time to reopen and adjudicate Plaintiff’s naturalization application  
 12 based on this new evidence. *See Landis v. North American Co.*, 299 U.S. 248, 254-55 (1936)  
 13 (“[T]he power to stay proceedings is incidental to the power inherent in every court to control  
 14 disposition of the causes on its docket with economy of time and effort for itself, for counsel, and  
 15 for litigants.”); *Al Falahi v. USCIS*, No. 2:16-cv-02921-JAD-VCF, 2019 U.S. Dist. LEXIS  
 16 54960, (D. Nev. June 7, 2019) (staying case to allow USCIS to reopen and adjudicate  
 17 naturalization application). The Parties propose that on or before December 21, 2021, they report  
 18 to the Court whether they have resolved this case such that dismissal is appropriate.

19 Respectfully submitted,

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## Order

Good cause appearing, IT IS HEREBY ORDERED that the Motion to Stay [ECF No. 57] is **GRANTED**. This action is STAYED. The Clerk of Court is directed to TEMPORARILY ADMINISTRATIVELY CLOSE this case. Any party may move to lift this stay and reopen this case after December 21, 2021.

U.S. District Judge Jennifer A. Dorsey  
Dated: September 21, 2021